

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The Examiner has objected to the abstract. Enclosed is an amended abstract.

The Examiner has objected to claim 5 due to informalities. Claim 5 has been amended accordingly.

The Examiner has rejected claims 1 and 3-8 under 35 U.S.C. § 102(b) as being anticipated by German Patent DE 44 16 504 to *Erras et al.*

The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over *Erras et al* in view of applicant admitted prior art. Claims 9-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Erras et al* in view of Japanese Patent JP 05192774 to *Nishimura*.

It is respectfully submitted that the present invention as claimed in claim 1 and in new independent claims 19 and 21 is patentable over the above cited patent to *Erras et al.*

For example, Erras does not disclose a guiding groove as claimed in claim 1, or in claim 21.

For example, claim 1 states:

at least one guiding groove ~~(8)~~ is provided on the tong arm ~~(3)~~ and/or and on the electrode holder ~~(4)~~ for the guidance of the strip ~~(6)~~ along the tong arm ~~(3)~~.

While claim 21 states:

at least one guiding groove disposed on said electrode holder for the guidance of said strip.

This feature is not shown in Erras. Much of the same disclosure in Erras is disclosed in the previously cited U.S. Patent No. 5,961,854. The Examiner never states that Erras discloses a groove on the electrode holder. Therefore, it is respectfully submitted that claims 1, and 21 are patentable over the above cited patent.

As stated above, claim 1 allows for the groove to be on both the tong arm or on the electrode holder. In claim 19 the groove is on the tong arm. In claim 20 the groove is on both the tong arm and the electrode holder, while in claim 21 the groove is on the electrode holder.

In addition, claims 19 and 21 have been written to state

that in contrast to the above cited reference to DE4416504, the present invention has a wind-off roller, and a wind-up roller, or more particularly the winding mechanism is arranged on the base body of the spot welding tong. This feature is also not shown in the above cited patent DE4416504. Therefore, for this additional reason, early allowance of claims 19 and 21 is respectfully requested.

Claims 2-10 depend from claim 1. Since claim 1 is considered to be allowable, it is respectfully submitted that these claims are allowable as well. In addition, claim 20 depends from allowable claim 19. Therefore, it is respectfully submitted that the remaining claims 1-10, 19-21 are allowable.

In conclusion, claims 1-10 have been amended, claims 11-18 have been canceled and new claims 19-21 have been added. No new matter has been added. The Commissioner is hereby authorized to charge Collard & Roe, P.C.'s deposit account 03-2468 in the amount necessary for the additional claim.

Therefore early allowance of the remaining claims is respectfully requested.

Respectfully submitted,

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Enclosure(s): Abstract

I hereby certify that this correspondence is being sent by facsimile transmission to the USPTO to Patent Examiner Brian W. JENNISON at GROUP No. 4184 to 1-571-273-8300 on April 27, 2009.

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